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WHAT IS THE ATTORNEY GENERAL'S CONSUMER INFORMATION & MEDIATION SERVICE?

The Attorney General's Consumer Information & Mediation Service is a free service to Maine consumers who have a problem with a business. By offering this service, the Consumer Protection Division is able to monitor the types of problems consumers are having around the State. The Attorney General's Office is then in a better position to protect Maine consumers from unfair and deceptive business practices.

WHAT IS COMPLAINT MEDIATION?

Complaint mediation is a way to settle disputes where the two parties to the dispute work through a third person to solve their problem. It is a simple and informal process. The third person, or "mediator", helps the disputing parties understand each other's position and to reach a mutually acceptable agreement. Mediation is a proven method of quickly settling problems.

HOW DOES OUR CONSUMER MEDIATION SERVICE WORK?

Your complaint is reviewed to determine if it can be mediated. If it appears that it can be a copy of your written complaint is then forwarded to the business for its response. At the same time, we notify you by letter to let you know we have started the mediation process. One of our volunteer mediators (not a State employee) is then assigned to your case. We use additional letters or phone calls to determine the facts. Our mediator tries to bring you and the business closer to agreement. Of course, in order to reach a satisfactory settlement, we need the voluntary participation of the business.

HOW DO I START THE MEDIATION PROCESS?

To start the mediation process, fill out a Consumer Complaint Petition, available from the Consumer Protection Division. (For address, see below.) Fill out the form completely and legibly. Include copies of all relevant documents such as sales receipts, disclosure statements, warranties, canceled checks, correspondence, etc. Also, indicate if you have tried to settle the problem yourself.

Oftentimes problems are the result of simple mistakes or innocent misunderstandings. We urge you to first discuss your problem with the business yourself. If this attempt at resolution fails, then it's time to try mediation.

HOW LONG DOES IT TAKE?

An **average complaint takes five to six weeks to work its way through the system.** Some will take longer. Please be patient! **The mediator assigned to your case is a volunteer not a state employee.** While they are very faithful and hardworking, they might not always be in the office when a business calls. Or the mediation might prove to be a very difficult one and take additional time.

NEW INFORMATION, SETTLEMENT, ETC.

If you receive any additional information after sending in your complaint that we should know about, please send it **to us in writing**. Likewise, should you settle the complaint on your own, please let us know so that we can close our file.

WHAT COMPLAINTS ARE NOT MEDIATED?

We do not mediate **disputes between private parties** (i.e., where neither party is a business), **business versus business disputes**, **disputes outside of our jurisdiction** (e.g., where another agency is responsible such as the Public Utilities Commission, Department of Financial Institutions), **disputes in which the consumer would be best served by contacting a private attorney or disputes where suit has already been filed by one of the parties**.

WHAT IF MAINE LAW IS VIOLATED?

This office cannot possibly prosecute all violations of Maine law. As a matter of policy, we must confine our activities to those cases where large numbers of consumers are being harmed by fraudulent or deceptive practices. If your complaint is one of several similar complaints against a company and Maine law is being violated, we may decide to file suit against the company. In that situation, your complaint will be part of the State's case against the company.

If we sue, **we will not be acting as your private attorney** but instead we will be acting on behalf of all Maine consumers. The relief we ask that court to grant, however, may include a request that you get your money back or the product you purchased, replaced or repaired.

DOES MEDIATION WORK?

We cannot guarantee mediation will work or that you will receive everything you want. But we do believe mediation often works and works well. If our mediation efforts do not work, we will advise you on what other options you might have.

WHAT IF MEDIATION DOESN'T WORK?

If our attempts at mediating your complaint have been unsuccessful and there is nothing more we can do, there are still several things you can do for yourself. For example, you could try negotiating through an industry trade association to solve your problem, or you could sue the business in Small Claims Court (where you don't need a lawyer and your claim is \$6,000 or less) or you could hire a private attorney. Maine law often allows you to recover your lawyer's fees if you are successful in proving that a business violated consumer laws in dealing with you. We will advise you at the appropriate time of all these options if your attempts at mediation have not proven successful.

FOR A CONSUMER COMPLAINT PETITION OR FOR MORE INFORMATION CONTACT:

Office of the Attorney General
Consumer Information & Mediation Service
Consumer Protection Division
6 State House Station
Augusta, ME 04333-0006
consumer.mediation@maine.gov
www.maine.gov/ag

<u>Complaint Line:</u>	1-800-436-2131 (In Maine Only) or (207) 626-8849
<u>Hours:</u>	Monday through Friday 9:00 a.m. – 12:00 p.m. 1:00 p.m. – 4:00 p.m.